IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMM. FOR JUDGMENT NO.755 of 2003

IN

SUMM.SUIT NO.731 OF 2003

Dinesh Jaising .. Plff

versus

Pharma Intel (I) P.Ltd & anr Defts

Ms Parvati Kaushik i./bB.S.Chandanani for Plff

Mr A.N.Makhijani for Deft no.2

Mr H.Toor with Mr K.B.Irani for Deft no.6

CORAM : D.G. KARNIK, J

DATED : 26th April 2005.

P.C:-

1. Heard learned counsel for the parties. The suit has been filed on a demand bill of exchange on 17th September, 1999. Suit has been filed on 24th December 2002 i.e. after expiry of period of 3 years. Hence, prima facie defence of limtiation gives rises to triable issues.

2. The defendants are granted unconditional leave to defend the suit. Suit shall stand transferred to the list of commercial causes. The defendants to file the written statement within four weeks.

D.G.KARNIK, J